

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE: FORD MOTOR CO. F-150 AND RANGER
TRUCK FUEL ECONOMY MARKETING AND
SALES PRACTICES LITIGATION

This Document Relates To: All Actions

Case No. 19-md-02901-SFC

Honorable Sean F. Cox

MOTION FOR APPOINTMENT OF INTERIM LEAD COUNSEL

Pursuant to this Courts' order of November 6, 2019, I, Wilson Daniel "Dee" Miles, III, and my law firm Beasley, Allen, Crow, Methvin, Portis & Miles, P.C. (hereinafter "Beasley Allen") initially propose that attorney E. Powell Miller, from the Eastern District of Michigan, is the best and most logical choice to serve as interim lead counsel in the above-referenced matter. Mr. Powell most fully satisfies this Court's leadership criteria and therefore, we fully support the appointment of E. Powell Miller as interim class counsel in this matter.

Alternatively, should this Court wish to consider appointing more than one interim class counsel in this important MDL case, I respectfully request appointment to that position to lead this case along with Mr. E. Powell Miller as co-lead counsel of this MDL.

BEASLEY ALLEN FIRM RESUME

Attached as Exhibit 1 is my law firm's extensive resume as requested by the Court.

Attached as Exhibit 2 is my personal summary of qualifications for the Court's convenience.

BEASLEY ALLEN'S PRIOR EXPERIENCE IN OTHER COMPLEX

CLASS ACTIONS

I am a senior principal in my law firm, Beasley Allen, and have over 30 years' experience as a trial attorney with a specific focus on consumer issues and class actions. While at Beasley Allen, I have established a record of accomplished leadership in MDL cases throughout this country, and specifically in auto defect MDL/Class Action Litigation. While my firm has been selected by federal courts as lead counsel or co-lead counsel in seven different MDL's, my specific appointment as lead or co-lead counsel are as follows: (1) *In re: Reciprocal of America (ROA) Sales Practices Litigation*, MDL No. 1551 (W.D. Tenn.) (selected co-lead by Judge J. Daniel Breen); (2) *In re: American General Life and Accident Insurance Company Industrial Life Insurance Litigation*, MDL No. 1429 (D.S.C.) (selected co-lead by Judge Cameron Currie); and (3) *In re: Dollar General Corp. Fair Labor Standard Acts Litigation*, MDL No. 1653 (N.D. Ala.) (selected co-lead by Judge U. W. Clemon).

In addition to serving as lead or co-lead counsel, Beasley Allen has been appointed to over 28 different Executive and/or Plaintiffs' Steering Committees ("PSC") on MDLs. More specifically, my personal appointments are as follows: (1) *In re: Volkswagen "Clean Diesel" Marketing, Sales and Practices and Products Liability Litigation*, No. 15-MD-2672-CRB (N.D. Cal.) (appointed by Judge Charles Breyer to the PSC); (2) *In re: Toyota Motor Corp. Unintended Acceleration Marketing, Sales Practices, and Products Liability Litigation*, No. 8:10-md-02151-JVS-FMO (C.D. Cal.) (appointed to the PSC by Judge James Selna); (3) *In re: Target Corporation Customer Data Security Breach Litigation*, MDL No. 2522 (D. Minn.) (appointed to the PSC by Judge Paul A. Magnuson); (4) *In re: The Home Depot, Inc., Customer Data Security Breach Litigation*, MDL No. 2583 (N.D. Ga.) (appointed to the PSC by Judge Thomas W. Thrash); (5) *In re: Blue Cross Blue Shield Antitrust Litigation*, MDL No. 2406 (N.D. Ala.) (appointed to the written submission committee and trial team by Judge R. David Proctor); (6) *In re: Takata Airbag Products Liability Litigation*, MDL No. 2599 (S.D. Fla.) (serving on a discovery committee responsible for two Auto Manufacturer's discovery; Judge Federico A. Moreno); and (7) *In re: Chrysler-Dodge-Jeep Ecodiesel Marketing, Sales Practices and Products Liability Litigation*, MDL No. 17-MD-02777-EMC (N.D. Cal.) (appointed to the PSC by Judge Edward Chen).

Four of the above appointments highlight my experience specific to automobile defect class action MDLs: The Volkswagen "Clean Diesel" Marketing MDL; the Toyota Motor Corp. Unintended Acceleration, Marketing, Sales Practices MDL; the Takata Airbag Products Liability Litigation MDL; and the Chrysler-Dodge-Jeep Ecodiesel Marketing, Sales Practices and Product Liability Litigation MDL.

My firm and I are also serving as lead counsel in several other consumer class actions that are not MDLs: (1) *In re: General Motors 5300 Litigation*, No. 3-16-cv-07244-EMC (N.D. Cal.) (before Judge Edward Chen); (2) *In re: Polaris Marketing, Sales Practices, and Products Liability Litigation*, No. 18-cv-00939 (WMW/DTS) (D. Minn.); (3) *Paul Weidman et. al. vs. Ford Motor Company*, No. 2:18-cv-12719-GAS-EAS (E.D. Mich.); (4) *Richard Dickman et al v. Banner Life Insurance*, No. 1:16-cv-00192-WMN (D. Md.); and (5) *Vivian Farris, trustee of Plaintiff Wirt Adams Yerger, Jr. Legacy Trust v. U.S. Financial Life Insurance Company*, No. 1L17-cv-417 (S.D. Ohio).

**EXPERIECE AS LEAD COUNSEL IN THE EASTERN DISTRICT OF
MICHIGAN**

My firm and I have been appointed as co-lead counsel in *Paul Weidman, et. al. vs. Ford Motor Company*, No. 2:18-cv-12719-GAS-EAS (E.D. Mich.). Serving as co-lead counsel on this case with our law firm is E. Powell Miller.

CONCLUSION

I respectfully acknowledge this Court's desire to appoint lead counsel from the Eastern District of Michigan and support the appointment of E. Powell Miller as interim lead counsel for this MDL litigation. Mr. Miller's standing in this district and his extensive experience in automotive defect litigation sets him apart as the best choice to prosecute this litigation as interim lead counsel. Should this Court determine that additional interim lead counsel is necessary and would better serve the interests of the proposed class, then I request appointment as co-lead interim counsel.

Dated: November 20, 2019

Respectfully submitted,

W. DANIEL “DEE” MILES, III

/s/ W. Daniel “Dee” Miles, III

W. Daniel “Dee” Miles, III

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CERTIFICATE OF SERVICE

I hereby certify that on November 20, 2019, I electronically filed the foregoing **Motion for Appointment of Interim Lead Counsel** using the Court's electronic filing system, which will notify all counsel of record authorized to receive such filings.

/s/ W. Daniel "Dee" Miles, III
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